

CASE	PZC-00044-2020
NUMBER:	
TYPE:	VARIANCE



Village of Westmont  
Board of Trustees  
Memorandum  
August 27, 2020

**Item for Board of Trustees Consideration:**

A request from Andrew Venamore regarding the property located at 126 Scott Court, Westmont, IL 60559, for the following:

- A. A Zoning Code Floor Area Ratio (F.A.R.) Variance to allow the construction of a closed sunroom over an existing open deck in the R-3 Single Family Detached Residence District.

**Planning and Zoning Commission Recommendation:**

The Planning and Zoning Commission recommended approval.

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## **CASE SUMMARY AND BASIS FOR RECOMMENDATION**

TITLE: Andrew Venamore regarding the property located at 126 Scott Court., Westmont, IL 60559 for the following:

(A) A Zoning Code Floor Area Ratio (F.A.R.) Variance to allow the construction of a closed sunroom over an existing open deck in the R-3 Single Family Detached Residence District.

### **A. Background**

The subject lot is located on a small cul de sac in the Fairfield VI Community, east of Cass and directly south of Robert Bernas Park, a Westmont Park District property. To the west, east and south of the cul de sac are residences and condominium apartments.



**Aerial Map of the Subject Property showing existing buildings, nearby developments and natural features.**

The applicant seeks relief from the maximum allowable Floor Area Ratio (FAR) in the R-3 Single Family Detached Residence District in order to finalize construction plans for an enclosed sunroom. The property is zoned R-3 Single Family Detached Residential District and contains an existing single family residence. Properties to the east, west, north and south are zoned similarly and contain single-family homes.

## **ZONING ANALYSIS**

The subject property is located in the R-3 Single Family Detached Residence District. The proposed construction will add an enclosed sunroom over an existing patio.

The architectural character of the addition will match the existing residence and fits in with the character of the neighborhood. Additionally, the resulting character and bulk of the home is consistent with the character and bulk of similar properties in the area.

The expansion will increase the property's floor area ratio (F.A.R.) and lot coverage as defined in Appendix "A", Section 6.04 - Bulk and development standards in residence districts, Subsection C, which states that the Maximum Floor Area Ratio for properties in the R-3 Single Family Residence District is 0.40 for the first 9,000 square feet of lot area plus 0.20 for the lot area greater than 9,000 square feet. At 8,943 square feet, the lot is less than 9,000 square feet. Therefore, the maximum floor area ratio for this property is capped at .40. The existing structure exceeds the maximum allowable F.A.R. by 3% of the total lot dimensions.

However, the lot coverage for the proposed and the existing will remain at under 40%, which is the maximum allowable lot coverage for this particular subdivision.

A summary of requirements and requested variance are discussed below.



## 126 Scott Court

### **F.A.R. Variance Request**

Article XVI of the Zoning Code states:

*Floor area: For determining floor area ratio: The sum of the gross horizontal areas of the several floors including also the basement floor of a building (Note: this is only for commercial buildings), measured from the exterior faces of the exterior walls, or from the centerlines of walls separating two buildings. The "floor area" shall also include the horizontal areas on each floor devoted to:*

- (a) Elevator shafts and stairwells;*
- (b) Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers;*
- (c) Habitable attic space as permitted by the building code of the Village of Westmont;*
- (d) Interior balconies and mezzanines;*
- (e) Enclosed porches; and*
- (f) Accessory uses.*

*Floor area for single-family detached dwellings in the R-1, R-2, R-3 and R-4 zoning districts shall not include the horizontal area of any garage, basement, crawl space, cellar or attic; but shall include any other attached structure on the lot having a roof.*

*Floor area ratio: The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot.*

The subject property 0.21 acres (8,943 square feet) is located in the *Fairfield VI Community Subdivision* and is zoned R-3 with a maximum Floor Area Ratio (F.A.R) of 0.40. The subject property is a standard lot on Scott Court and its rear yard abuts a neighborhood park. The proposed addition will be contained within all required setbacks. The allowable floor area square footage for the lot according to the current code is 3,577 square feet and the proposed square footage is 3,943 square feet which exceeds the allowable by 365 square feet, and exceeds the current F.A.R. by 117 square feet.

The applicant is requesting a Zoning Code Variance of 365 square feet for the purposes of completing a covered sunroom patio project for the home. The sunroom will cover an existing patio and will therefore be imperceptible in terms of the building envelope. The uncovered patio does not count as floor area, but

the effective floor area, if it were to be included, remains the same as existing conditions. The only change is that the patio will now be fully enclosed and create indoor liveable space. Furthermore, the proposed architectural design is of the same or similar character, size and bulk as many of the homes in the area, and this feature will be an enhancement to the home.

The existing building on the site has an F.A.R. of .43, which already exceeds the .40 allowable by code. The addition increases the overall F.A.R. to .44. The allowable F.A.R. for this property is .40, representing a .04 increase in the F.A.R. for this property but only a .01 increase from existing.

**Sec. 6.04. - Bulk and development standards in residence districts.**

<i>R-3 District</i>	<i>Maximum floor area ratio</i>
Single-family detached dwelling	.40
<b>Variance Requested:</b>	<b>.44</b>

**REVIEW COMMENTS**

**Engineering Synopsis** - Village staff has determined prior to submission that the scope of the project would not trigger any additional engineering requirements from the Village.

**SUMMARY**

The applicant requests a variance for relief from the maximum FAR as required in the R-3 Single Family Detached Residential District.

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**DOCUMENTS ATTACHED**

1. Public notice as published in the May 22, 2020 edition of the Westmont Suburban Life.
  2. Application for variance, with associated application materials, received June 22, 2020.
    - a. Application
    - b. Findings of Fact - Applicant
    - c. Deed
    - d. Full set of plans, dated April 9, 2020
    - e. Site Plan showing lot coverage calculations, dated April 9, 2020
    - f. Site Plan showing Floor Area calculations, dated April 9, 2020
- 

B. Legal

Notification: *Westmont Village codes require the proposal to be advertised with a Class Two Legal Notices and to be considered by the Planning and Zoning Commission at a public hearing. Public notice was provided in the Westmont Suburban Life on July 23, 2020.*

Other Required Actions: *Village Board action is required for these proposed Ordinance Amendments. After the Planning and Zoning Commission has made a recommendation, the Special Use Permit and Variance requests will be taken to the Village Board of Trustees for review and a final decision on August 27, 2020.*

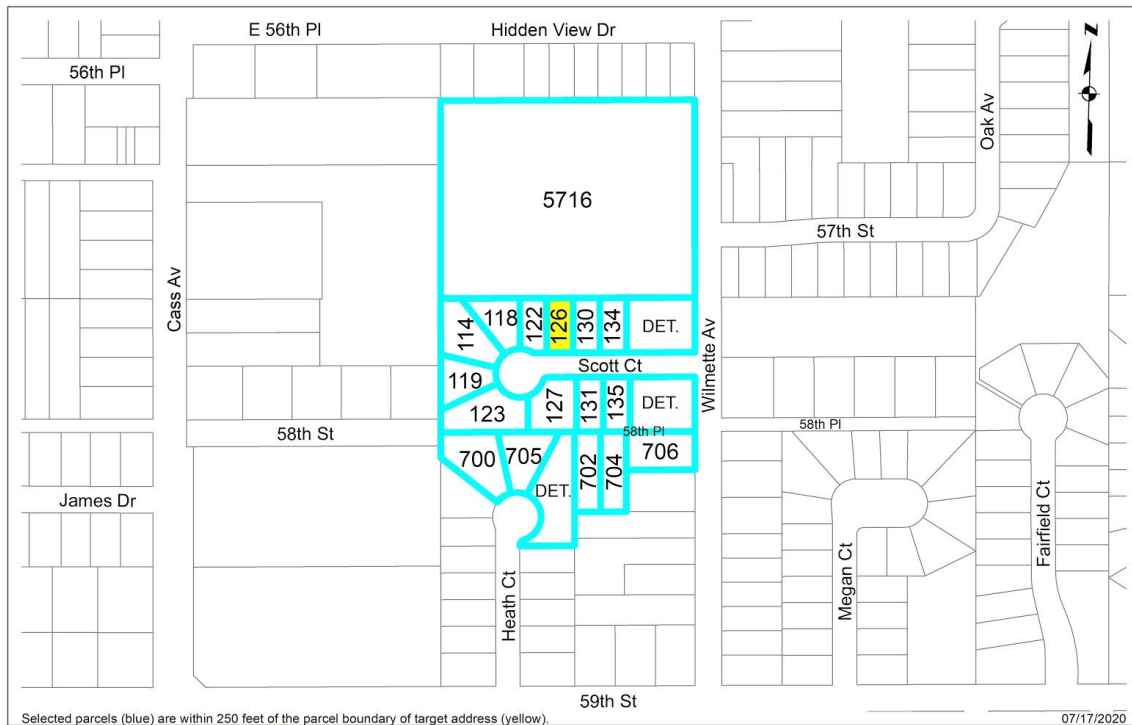
Code Reference: *Village Code Section 6.05 Variations. specifies the requirements to follow when requesting variances to the Zoning Code.*

C. Principal Parties

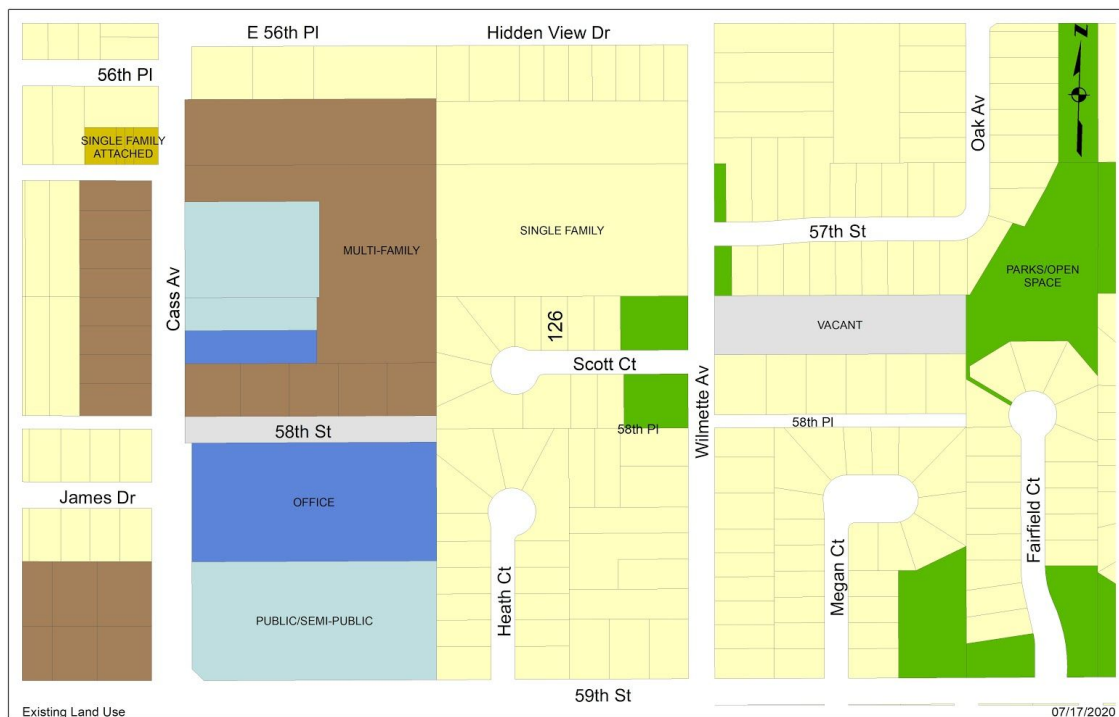
1. *Andrew Venamore, Mach 1, Inc. - applicant.*



## MAP SERIES

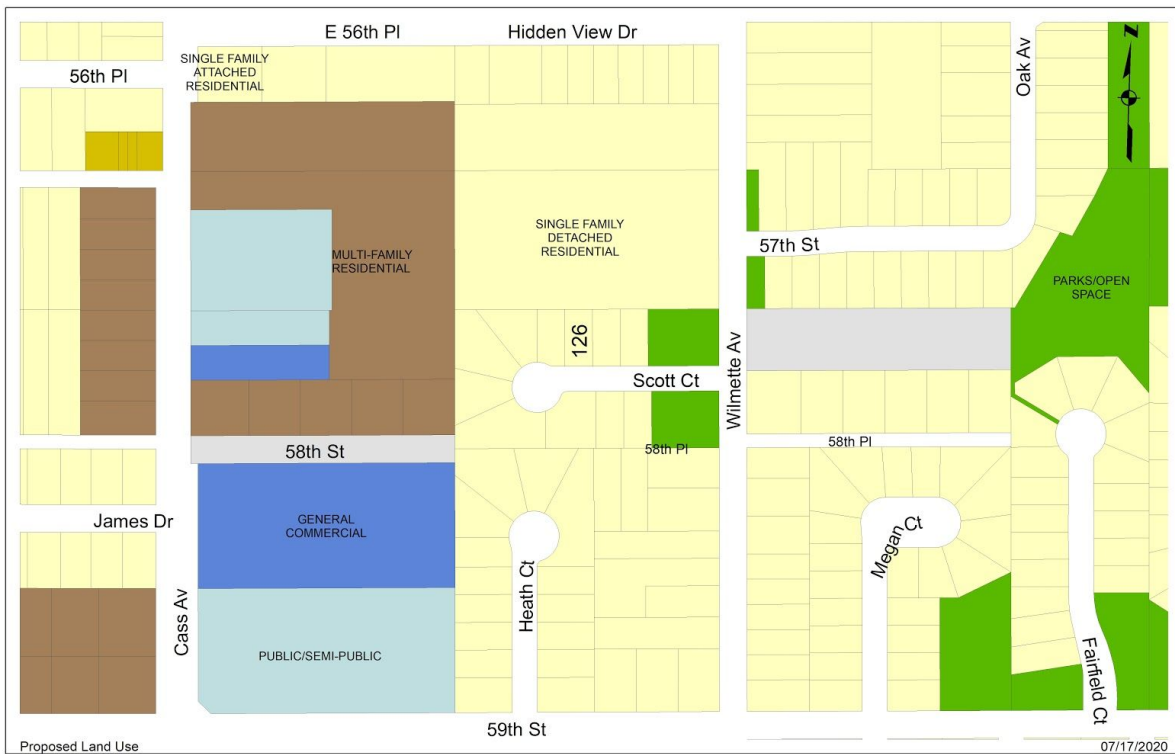


**Subject property, highlighted, at 126 Scott Court, showing the notification area.**

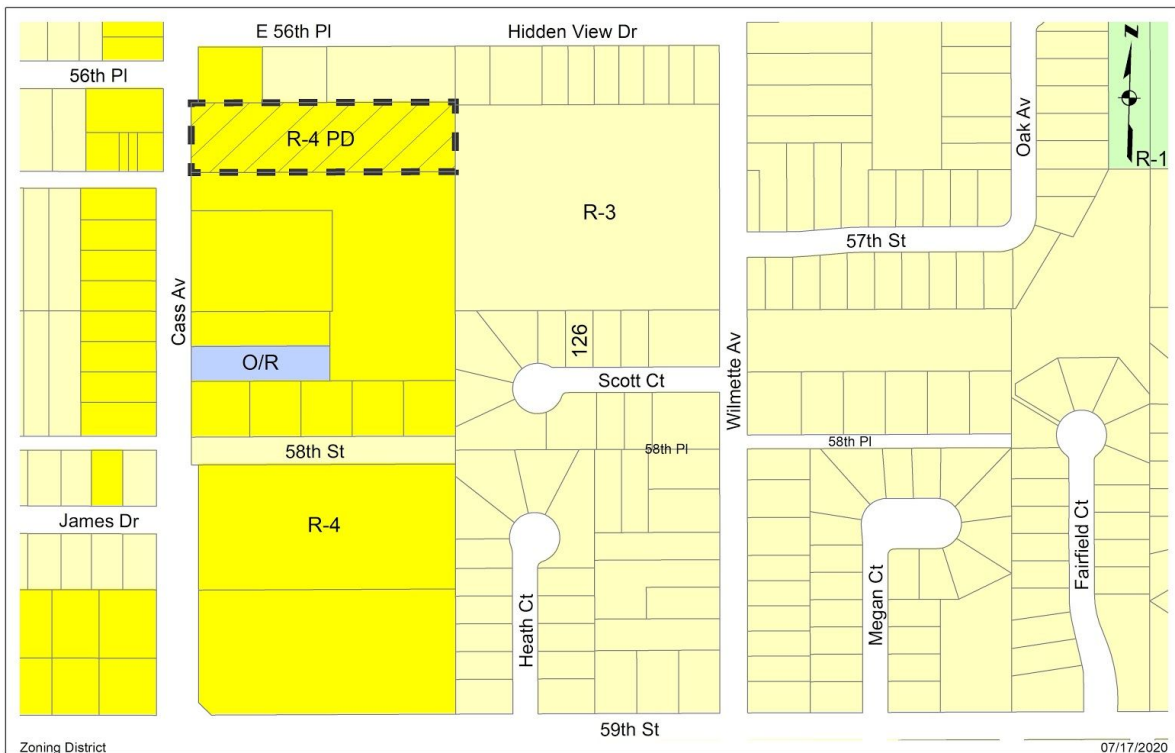


**The Existing Land Use Map shows 126 Scott Court as “Single Family Detached Residential” Designation. The proposed sunroom addition is compatible with the properties in the area.**





**The Proposed Land Use Map (2013) shows the subject property as “Single Family Detached Residential” and surrounded on all sides by the same designation.**



**The Zoning Map shows the subject property as R-3 Single Family Detached Residence District, and surrounded on all sides by the same zoning districts, consistent with the proposed use.**

**STIPULATIONS RECOMMENDED BY PLANNING STAFF FOR PZC CASE # 00044-2020**

None

## CONCURRENCY SUMMARY REPORT

**Project Name:** 126 Scott Court F.A.R. Variance - PZC Case #00044-2020

**Report Date:** August 27, 2020

The proposal is consistent with the Comprehensive Plan, the Proposed Land Use Plan, and the Codes and Ordinances for the Village of Westmont.

**PLANNING COMMISSION FINDINGS OF FACT FOR VARIANCE REQUEST PZC CASE  
NO. 00044-2020**

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION  
FINDINGS OF FACT  
PUBLIC HEARING OF AUGUST 12, 2020

PZC 00044-2020 – Andrew Venamore, regarding 126 Scott Court, Westmont  
Request for a variance to allow an enclosed sunroom which exceeds the maximum allowable floor area ratio.

CRITERIA NO. 1: The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

FINDINGS OF FACT: The Applicant is proposing to enclose an existing deck on the property in order to create a 3-season sunroom. The house, as originally built prior to the Applicant's ownership, already exceeds the allowable floor area ratio. As a result, the Applicant could never add on to his home without a variance and could not yield a reasonable return without this variance.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: The proposed enclosure will only measure 116 square feet, and therefore will not significantly increase the existing floor area ratio. In addition, the proposed sunroom will be located on an existing deck.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The proposed enclosed sunroom will be aesthetically pleasing. It will not be visible from the road. Despite needing a variance for floor area ratio, the proposed project will meet the height, yard setbacks, lot coverage and other bulk regulations of the R-3 District. The proposed project will not result in adverse stormwater impacts or other adverse impacts on surrounding properties and will not alter the character of the neighborhood.